REMARKS

In this Amendment, Applicant has amended Claims 1, 7 – 8, and 13 – 19, and added new Claim 20. Claims 1 and 13 – 19 have been amended to specify various embodiments of the present invention and overcome the rejection. Claims 7 – 8 have been amended to correct informalities and clerical errors. It is respectfully submitted that no new matter has been introduced by the amended claims. All claims are now present for examination and favorable reconsideration is respectfully requested in view of the preceding amendments and the following comments.

REJECTIONS UNDER 35 U.S.C. § 112 SECOND PARAPGRAPH:

Claims 1 – 14 have been rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

It is respectfully submitted that the objections have been overcome by the presently submitted amendments. In particular, Claim 1 has been amended to delete the narrower range of 2.5 mm to 3.5 mm, which is claimed in a new Claim 20. Therefore, the amended Claims 1 – 14 clearly point out and define the embodiments of the present invention.

Therefore, the rejection under 35 U.S.C. § 112, second paragraph, has been overcome. Accordingly, withdrawal of the rejections under 35 U.S.C. § 112, second paragraph, is respectfully requested.

REJECTIONS UNDER 35 U.S.C. § 101:

Claims 15 – 19 have been rejected under 35 U.S.C. § 101 as allegedly failing to recite positive steps in the process claims.

It is respectfully submitted that the rejection has been overcome by the current amendment. More specifically, Claims 15 – 19 have been amended to receive positive steps in the proper process claims.

Therefore, the rejection under 35 U.S.C. § 101 has been overcome. Accordingly, withdrawal of the rejection under 35 U.S.C. § 101 is respectfully requested.

REJECTIONS UNDER 35 U.S.C. §103:

Claims 1 – 14 have been rejected under 35 U.S.C. §103 as allegedly being unpatentable over Werthmann (DE 29 50 795 and US 5,183,551) in view of Applicant's admission of prior art. Claims 1 – 13 have been rejected under 35 U.S.C. §103 as allegedly being unpatentable over Stadler et al. (US 6,436,553) in view of Applicant's admission of prior art.

Applicant traverses the rejection and respectfully submits that the embodiments of present-claimed invention are not obvious over the cited prior art references. More specifically, it is respectfully submitted that there are significant differences between the embodiments of the present invention and the disclosures in Werthmann and Stadler. Neither Werthmann nor Stadler necessarily teaches or discloses an endless steel band with the evenly distributed depressions that extends inwardly 200 um to 600 um from the surface of the steel band in achieving "a product with an improved constant skid resistance surface" as defined in Claim 1. In addition, there is no motivation to modify these references nor reasonable expectation of success of such modification in the prior art. Applicant respectfully submits that "[T]he mere fact that references **can be** combined or modified **does not render** the resultant combination **obvious** unless **the prior art** also suggests the desirability of the combination. *In re Mills*, 916 F.2d 680, 16 USPQ2d 1430 (Fed. Cir. 1990)" (emphasis added, see MPEP 2143.01).

Applicant respectfully submits that the essential task to have a non-slippery surface in a product is achieved by using the steel band defined in Claim 1. According to

the present invention, the function of the distribution of depressions, the shapes, sizes and the depths of the depressions are not necessarily for aesthetic design, but to guarantee a non-slippery surface for people moving on such surface (see page 3, lines 15 – 25 of the specification). Neither Werthmann nor Stadler teaches or suggests the even distribution of the depression on the belt or bumps in the product. However, as pointed out in the specification, "[I]n order to obtain the highest possible constant skid resistance on a surface, it is necessary that the depressions are arranged substantially evenly over the surface of the steel strip." (see page 3, lines 21 – 22 of the specification). In addition, the shapes, sizes and the depths of the depressions are also important in achieving "a product with an improved constant skid resistance surface" as defined in Claim 1. In addition, Claims 14 has been amended to specify that only an area on the surface of the round plate has a plurality of depressions corresponding to the steel band. The improvement in the skid resistance is clearly shown in the present invention (see Examples 1 – 3).

Werthmann only describes a process of manufacturing endless belts. However, neither the roughness nor the evenly distributed arrangement of the depressions are disclosed or suggested. Similarly, Stadler only discloses a process for manufacturing a belt with some sort of pattern. However, it does not disclose or suggest the embodiment of the present invention with evenly distributed depression and corresponding shapes, sizes and depths with improved constant skid resistance.

In summary, it is respectfully submitted that there is no motivation to modify Werthmann nor Stadler. Even if they are modified, they will not render the present claimed invention obvious. One of ordinary skill in the art would not discern the present invention as claimed at the time of its invention.

Therefore, the rejection under 35 U.S.C. §103 has been overcome. Accordingly, withdrawal of the rejections under 35 U.S.C. §103 is respectfully requested.

Having overcome all outstanding grounds of rejection, the application is now in condition for allowance, and prompt action toward that end is respectfully solicited.

Respectfully submitted,

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